

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1010 be amended to read as follows:

- 1 Page 2, between lines 17 and 18, begin a new paragraph and insert:
- 2 "SECTION 2. IC 32-24-1-3.5 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE UPON PASSAGE]: **Sec. 3.5. (a) This section applies**
- 5 **to contracts, leases, and any other legally binding instruments that:**
- 6 **(1) were in effect on July 1, 2005; or**
- 7 **(2) are entered into or renewed after July 1, 2005.**
- 8 **(b) A condemnor (as defined in section 1 of this chapter) may**
- 9 **not exercise the power of eminent domain to acquire a parcel of**
- 10 **real property from an owner (as defined in section 2 of this**
- 11 **chapter) if the condemnor, before the condemnor attempts to**
- 12 **purchase or otherwise acquire the parcel of real property from the**
- 13 **owner of the parcel, enters into a contract, a lease, or any other**
- 14 **legally binding instrument:**
- 15 **(1) with a private third party; and**

- 1 **(2) that promises the third party that the third party will have**
- 2 **use of or access to the parcel of real property after the**
- 3 **condemnor acquires the property."**

4 Renumber all SECTIONS consecutively.

(Reference is to HB 1010 as printed January 11, 2006.)

Representative Hinkle